IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRD DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 15435 of 1998

Between:

A.P.S.R.T.C., Rep by its Managing Director,
Musheerabad, Hyderabad

..... PETITIONER

AND

1 State Transport Appellate Tribunal, Rep by its Presiding Officer.
A.P., Hyderabad,
2 Regional Transport Authority, Rep by its Secretary, Cuddapah District
3 Sri S.Subbi Reddy, Muddanur Road, Yerraguntla, Cuddapah District

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, order or direction especially in the nature of a Writ of Certiorari calling for the records relating to the impugned order dt.23-10-97 made in AP No.981/96, the 1st respondent herein setting aside the order in item No.6 in R.No.353/A2/90 dt.24-9-96 of the 2nd respondent and directing issue of permit to 3rd respondent on the route Yerraguntla four roads to Nidijivi, and quash the same as being hit by the provisions of Sec.99(2) and 104 of the M.V.Act, 1988.

Counsel for the Petitioner: MR.K.HARINATH

Counsel for the Respondents 1 and 2: GP FOR TRANSPORT

Counsel for 3rd respondent: None appears.

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WRIT PETITION NO : 33701 of 1998

Between:

The Regional Manager, A.P.S.R.T.C, Kakinada, E.G.Dist.

..... PETITIONER

AND

1 State Transport Appellate Tribunal, Rep by its Presiding Officer.
Hyderabad AP,
2 State Transport Authority,
Kakinada. E.G.Dist.
3 Sri M.Gurrayya, S/o Nagabhushanam,
C/o Subba Rao, 65-9-2, Ashok Nagar, Karanamgari Centre,
Kakinada, E.G.Dist.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an Appropriate Writ, Order or direction especially in the nature of Writ of Certiorari, calling for the records relating to the impugned order dt.30.7.98 made in AP No.438/96, State Transport Appellate Tribunal, AP., Hyderabad, setting aside the order in R.No.45723/A1/95, dt.24.5.96, Regional Transport Authority, Kakinada and directing issue of permit to 3rd respondent on the town Service route, Port Railway Station to new Fishing Harbour, and quash the same as being hit by the provisions of Sec.104, Motor Vehicles Act, 1988.

Counsel for the Petitioner:MR.K.HARINATH

Counsel for the Respondents 1 and 2: GP FOR TRANSPORT

Counsel for 3rd respondent : None appears.

The Court made the following :

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WRIT PETITION NOS. 15435 AND 33701 OF 1998

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ORDER:-

Heard both the learned counsel. Having regard to the principles laid down by a Full Bench of this Court reported in **A.P.S.R.T.C. v. State Transport Appellate Tribunal, Hyderabad** nothing survives in these writ petitions. Accordingly, these writ petitions are dismissed. No costs.

3—11—2004.

Stv/-

1.State Transport Appellate Tribunal, Rep by its Presiding Officer.A.P.,

Hyderabad.

2. Regional Transport Authority, Rep by its Secretary,

Cuddapah District.

3. Two C.Cs. to G. P. for Transport, High Court Buildings, Hyd (OUT)

4. Two C.D. copies.